

or after January 1, 1996, pursuant to Section 531(b) of Public Law 10-465, the amendment made to 35 USC § 104 is applicable in this case. Accordingly, Applicant's Declaration Under 37 CFR 1.131, which clearly shows completion of the claimed invention in a WTO member country, i.e. Japan, prior to the December 1, 1997 filing date of the Higgins patent, removes the Higgins patent as citable prior art under 35 USC § 102/103. Accordingly, the rejection of the claims as obvious from the APA in view of Rostoker and Higgins and one or more of the other references, cannot be maintained.

Having dealt with all the objections raised by the Examiner, it is believed that the application is now in condition for allowance. Early and favorable action are respectfully requested.

In the event there are any fee deficiencies or additional fees are payable, please charge them (or credit any overpayment) to our Deposit Account No. 08-1391.

Respectfully submitted,



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**CERTIFICATE OF MAILING**

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: Commissioner of Patents and Trademarks, Washington, D.C. 20231 on September 26, 2001, at Manchester, New Hampshire.

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